



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Cheryl L. Galante et al.
Serial No. : 09/784,488
Filed : February 15, 2001
Title : PERSONAL CARE PRODUCT

Art Unit : 1616
Examiner : Marina Lamm

Commissioner for Patents
Washington, D.C. 20231

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INFORMATION DISCLOSURE STATEMENT

The "bac deo-stick" product listed as AQ on the attached Form 1449 may qualify as prior art to the present application. Applicants believe the product was introduced commercially outside the United States prior to 2000. Sample(s) of the product were brought into the United States prior to 2000 and an analysis of the product was requested by an inventor of the present application. The analysis was provided to one or more of the inventors of the present application in 2000. The analysis of the product (names of individuals redacted from memo) is enclosed as Exhibit A; photographs of the product are enclosed as Exhibit B.

Applicants request that the "bac deo-stick" product be considered as prior art to all of the claims in the present application. However, applicants reserve the right to investigate this issue further. Applicants do not know what "date" should be assigned to the product, but for purposes of listing the product on the Form 1449, applicants have selected the date the analysis was requested.

Applicants believe, but are not certain, that the "bac deo-stick" is a commercial embodiment of Banowski et al., WO 99/23998, which was addressed in a response mailed August 30, 2002. Note that the "bac deo-stick" does not appear to contain an antiperspirant salt.

Around November 2000 applicants became aware that an antiperspirant version of the "bac deo-stick" product had been introduced in Europe. A sample of the antiperspirant product

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I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

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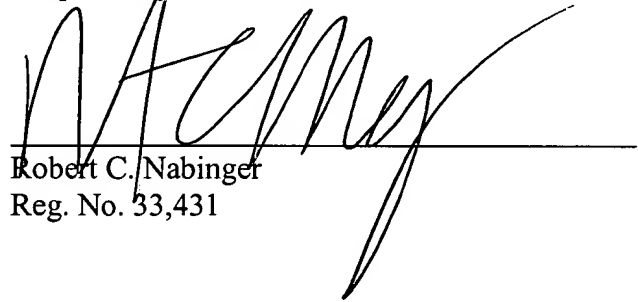
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was purchased in Europe and brought to the United States in February 2002. Applicants do not believe that the antiperspirant version of the product qualifies as prior art. Applicants believe the antiperspirant version may be an embodiment of DE 199 21 181 (Ref. AL), which published on November 9, 2000. A recent analysis of the antiperspirant product is enclosed (Exhibit C); WO 00/67712 is mentioned in Exhibit C and claims priority to DE 199 21 181. A declaration of David Elliot under 37 C.F.R. § 1.131 was filed on April 23, 2002 to establish that DE 199 21 181 did not qualify as prior art to most of the claims in the present application.

This filing is being made with the filing of a Request for Continued Examination. No fee is required.

Respectfully submitted,



Robert C. Nabinger
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Date: January 3, 2003

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